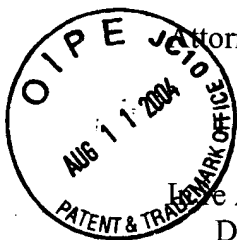


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Attorney Docket No. DB-5905A (1417G P748)

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Danby et al.

Application No.: 10/626,489

Confirmation No.: 1991

Filed On:: July 23, 2003

Examiner: Unassigned

Art Unit: 3753

For: VACUUM DEMAND FLOW VALVE

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. §§ 1.97 AND 1.98**

Dear Sir:

Applicant submits herewith Form PTO-1449, "Information Disclosure Statement," and a copy of each reference listed therein.

Since this Application was filed after June 30, 2003, copies of U.S. Patents listed on Form PTO-1449 have not been enclosed.

Since this Statement is being filed before the mailing date of a first Official Action on the merits, no fee is necessary.

Applicant is submitting this art because Applicant recognizes its duty to disclose pursuant to 37 C.F.R. §1.56. However, submission of this art and Statement is not an admission any item identified contains matter anticipating the invention or rendering the invention obvious to a person of ordinary skill in the art. Further, Applicant believes none of the art submitted herewith, alone or in proper combination, discloses, teaches or suggests the invention claimed by Applicants.

The citation of a reference is also without admission the reference is sufficient to teach one of ordinary skill in the art how to make or use the subject matter thereof or the reference is, or is considered to be, material to the patentability as defined in 37 C.F.R. §1.56(b).

Moreover, submission of these patents is without admission any of the patents constitutes statutory prior art or has an effective date prior to Applicants' effective date of invention.

Applicants specifically reserve all rights of privilege and confidence with respect to this matter. A submission of this document is not to be construed as a waiver of those rights. In addition, the filing of this Statement is not to be construed as a representation a search had been made by Applicant or counsel.

Please charge any additional fees associated with this Communication or credit any overpayment to our Deposit Account No. 23-0280. A duplicate copy of this paper is enclosed for that purpose.

Respectfully submitted,

Dated: August 11, 2004

By: 

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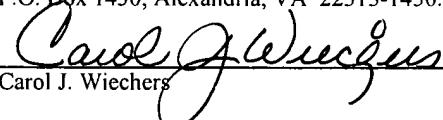
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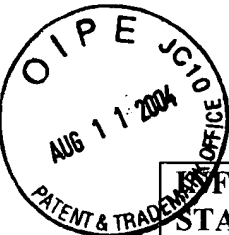
**CERTIFICATE OF MAILING 38 C.F.R. § 1.10)**

Express Mail Label No. EL 999652945 US

Date of Deposit: August 11, 2004

I hereby certify that this correspondence and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: MAIL STOP Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Carol J. Wiechers



**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

PTO-1449  
(206996)  
Sheet 1 of 1

Application No.: 10/626,489  
Filing Date: July 23, 2003  
First Named Inventor: Danby  
Art Unit: 3753  
Examiner Name: Post, Steven.  
Attorney Docket Number: DB-5905A  
(1417G P 748)

**U.S. PATENT DOCUMENTS**

Examiner Initial	U.S. Patent Document Number	Name of Patentee or Applicant	Date of Publication
	4,179,051	Thomas	12/18/1979
	4,537,387	Danby et al.	08/27/1985
	4,747,522	McIntyre	05/31/1988
	5,643,195	Drevet et al.	01/07/1997
	6,273,117 B1	McPhee	08/14/2001

**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Country	Trans.
	WO 01/19449 A1	22 March 2001	PCT	No
	2001/208237	03/08/2001	Japan	Yes
	WO 00/37128	29 June 2000	PCT	
	EP 0 762 028 A1	12/03/1997	EPO	
	538964	10/03/1971	CH	No

Examiner Signature: \_\_\_\_\_ Date Considered: \_\_\_\_\_

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.